

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

KELLY A. STERNER,

Plaintiff,

v.

MICHAEL J. ASTRUE,
Commissioner of Social
Security,

Defendant.

No. CV-08-300-CI

ORDER GRANTING STIPULATED
MOTION FOR REMAND PURSUANT
TO SENTENCE FOUR OF 42
U.S.C. § 405(g)

BEFORE THE COURT is the parties' stipulated Motion for Remand of the above-captioned matter to the Commissioner for additional administrative proceedings. (Ct. Rec. 22.) The parties have consented to proceed before a magistrate judge. (Ct. Rec. 10.) After considering the stipulation of the parties,

IT IS ORDERED:

1. The parties' stipulated Motion for Remand (Ct. Rec. 22) is **GRANTED**. The above-captioned case shall be **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). On remand, the administrative law judge (ALJ) will conduct a new hearing, further develop the record and issue a new decision. The ALJ will reevaluate and further develop the medical evidence or

1 record; reevaluate Plaintiff's credibility pursuant to SSR 96-7p;
2 reevaluate Plaintiff's RFC pursuant to SSR 96-8p; and reevaluate
3 steps four and five of the sequential evaluation process with the
4 assistance of a vocational expert, as necessary.

5 2. Judgment shall be entered for the **PLAINTIFF**.

6 3. Plaintiff's Motion for Summary Judgment (Ct. Rec. 16) is
7 dismissed as moot.

8 4. An application for attorney fees may be filed by separate
9 motion.

10 The District Court Executive is directed to enter this Order,
11 forward copies to counsel, and thereafter shall close this file.

12 DATED July 30, 2009.

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14 S/ CYNTHIA IMBROGNO
15 UNITED STATES MAGISTRATE JUDGE
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